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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Case 4:12-cv-06242-DMR Document 1 Filed 12/10/12 Page 1 of 25

Case No. 6242

GREENWAVE INTERNATIONAL, LLC, a California limited liability company,

Plaintiff,

v.

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STETZER ELECTRIC, INC., a Wisconsin corporation; SHAUN KRANISH, an individual doing business as ELECTRAHEALTH.COM and STETZERIZER-US.COM; and DOES 1 through 10, inclusive,

Defendants.

COMPLAINT

- 1. Trade Libel
- DMR

DMR

- 2. Federal Unfair Competition Under 15 U.S.C. § 1125(a)(1)(B)
- 3. Tortious Interference with Business Relations
- 4. Tortious Interference with Prospective Business Relations
- 5. False Advertising in Violation of Cal. Bus. & Prof. Code § 17500, et seq.
- 6. Unfair Competition Under Cal. Bus. & Prof. Code § 17200, et seq.

-JURY TRIAL DEMANDED-

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Complaint

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Plaintiff GREENWAVE INTERNATIONAL, LLC hereby alleges and complains against Defendants STETZER ELECTRIC, INC. and SHAUN KRANISH, an individual doing business as ELECTRAHEALTH.COM and STETZERIZER-US.COM, as follows:

THE PARTIES

- 1. Plaintiff GREENWAVE INTERNATIONAL, LLC (hereinafter "Plaintiff") is a corporation organized under the laws of the State of California with a principal place of business at 30 Island Drive, San Rafael, California 94901.
- 2. Upon information and belief, Defendant STETZER ELECTRIC, INC. (hereinafter "STETZER") is a corporation organized under the laws of the State of Wisconsin with a principal place of business at 520 West Broadway Street, Blair, Wisconsin 54616.
- 3. Upon information and belief, Defendant SHAUN KRANISH (hereinafter "KRANISH") is an individual doing business as ELECTRAHEALTH.COM and STETZERIZER-US.COM. Upon information and belief, Defendant KRANISH is a resident of the State of Illinois with a principal place of business at 1817 18th Avenue Rockford, Illinois 61104.
- 4. Plaintiff is unaware of the true names and capacities of the Defendants sued herein as DOES 1 through 10, inclusive. Therefore, Plaintiff sues said DOES, and each of them, by such fictitious names. Plaintiff is informed and believes, and thereon alleges, that DOES 1 through 10, and each of them, are in some way associated with codefendants, and Plaintiff prays that their true names and capacities, when ascertained, may be incorporated by appropriate amendment. Defendants STETZER, KRANISH, and DOES 1 through 10 are collectively referred to as "Defendants."
- 5. At and during all the times hereinafter mentioned, Defendants were and are legal entities and/or individuals capable of being sued in this Court. At and during all the times and places hereinafter mentioned, the Defendants were duly authorized agents, servants, or employees of the remaining Defendants, and were at all times and

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places mentioned herein acting within the purpose and scope of said agency, service, and employment in connection with the matters herein alleged.

Plaintiff is informed and believes, and based thereon alleges, that at all 6. times herein mentioned, Defendants were the agents, servants, employees, joint venturers, partners, subsidiaries, and/or co-conspirators of each other Defendant, and that, in performing or failing to perform the acts herein alleged, each were acting individually as well as through and in the foregoing alleged capacity and within the course and scope of such agency, employment, joint venture, partnership, subsidiary and/or conspiracy, and each other Defendant ratified and affirmed the acts and omissions of the other Defendants. Plaintiff is further informed and believes that the Defendants, in taking the actions alleged herein and/or ratifying the actions alleged herein, acted within the course and scope of such authority and, at the same time, for their own financial and individual advantage, as well as in the course and scope of such employment, agency and as an alter ego therein.

JURISDICTION AND VENUE

- 7. Jurisdiction in this matter is based on 28 U.S.C. § 1332(a)(1) as there is complete diversity between the parties in that Plaintiff and Defendants are citizens of different states and the amount in controversy exceeds the sum of \$75,000.00. The Court has supplemental jurisdiction over all of Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.
- Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)(2) as: (a) 8. a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this District; (b) Defendants conduct business in this District; (c) the unlawful acts of Defendants complained of herein have been committed within this District and have had or will have had effect in this District; and (d) Plaintiff, a resident of this District, has been and will continue to be damaged by Defendants unlawful acts.

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FACTUAL ALLEGATIONS

- 9. Plaintiff was founded in 2009 with the objective to develop the most innovative filtering and measurement solutions available for electromagnetic interference (EMI) on electrical power lines. Plaintiff has introduced significant innovation into the marketplace for dirty electricity filters and was the first company in the United States market to offer high-quality plug-through filters for consumers. Plaintiff currently offers its Greenwave filters, meters, testers, and books through its online e-commerce website located at www.greenwavefilters.com and through affiliates throughout the United States.
- 10. As a result of its exemplary conduct, industry, and ability, and its investment of time, financial resources, advertising, promotion, experience, care, and service, Plaintiff has acquired a stellar reputation in its target marketplace in the United States.
- 11. At all times mentioned herein, Plaintiff has possessed a reputation for fair dealing, courtesy, and accommodation, for providing high quality filter and meter products ("Plaintiff's products") to the general public. Plaintiff's reputation was, and is, of great value to Plaintiff.
- 12. Upon information and belief, Plaintiff alleges that Defendant STETZER is developer and manufacturer of the Stetzerizer Filter and Microsurge Meter ("STETZER Products"). Plaintiff further alleges upon information and belief that Defendant STETZER offers the STETZER Products for sale to consumers throughout the United States, including those in this Judicial District, through its online e-commerce store at www.stetzerelectric.com and through various distributors including Defendant KRANISH.
- 13. Upon information and belief, Plaintiff alleges that Defendant KRANISH began doing business under ElectraHealth.com and Stetzerizer-US.com in 2008. Plaintiff further alleges upon information and belief that Defendant KRANISH, through

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www.electrahealth.com which redirects to www.stetzerizer-us.com, is an online dealer and the primary distributor of STETZER Products in the United States.

- On or about May 19, 2012, Plaintiff created and made public a webpage on 14. its website, www.greenwavefilters.com/stetzerizer-gs-filters/, wherein a consumer is able to access a chart comparing the benefits of Plaintiff's Greenwave filters to the Defendants' Stetzerizer Filter. A true and correct copy of Plaintiff's comparison chart is attached hereto as Exhibit "A."
- As recently as October 2012, Defendants created a link on their home page 15. at http://www.stetzerizer-us.com/ which is entitled "Beware of imitation/knockoff filters." When a consumer clicks on the aforementioned link, that consumer is directed toward a webpage entitled "Knockoffs" which, among other things, includes "comments" containing defamatory statements directed at Plaintiff's products, business, and reputation. Defendants' webpage is found at www.stetzerizerus.com/knockoffs.html and a true and correct copy of Defendants' "Knockoffs" webpage is attached hereto as Exhibit "B."
- The following false and defamatory statements are found on Defendants' 16. "Knockoffs" webpage and are specifically directed at Plaintiff and Plaintiff's Greenwave filters:
 - "This is extremely misleading! Both filters utilize a parallel circuit with your devices. There is no advantage or disadvantage to the built-in outlet. It does NOT stop dirty electricity any more or less or sooner or later. Advertising it as such is a flat-out lie and taking advantage of lack of knowledge of consumers."
 - b. "This is a flat-out lie! We have seen no filter, including the Greenwave, that does ANYTHING with the ground. If you open a Greenwave filter, you will see the capacitor and circuitry is not connected to ground. Indeed, connecting to ground as they are claiming could cause serious wiring faults in the building. Neutral and ground should not be

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bonded in a device! Why does this company continue to market their products as doing things that they cannot and do not do??? Anything for sales perhaps?"

- "They claim to have 2 prong models, but they are sure to have the same design flaws and concerns as the 3-prong knockoffs."
- In addition to the specific comments contained in Paragraph 16, Defendants' "Knockoffs" webpage contains a chart created by Defendants which implicitly defames Plaintiff, its products and reputation. On their Knockoffs webpage, Defendants further state the following which evidences that Defendants are directing their defamatory comments toward Plaintiff: "We are posting the below chart so you can see first-hand what one of the knockoff companies is doing. We believe this is an example of poor and misleading or unethical business practices, and I think you will The "below chart" that Defendants specifically post is the very same agree." comparison chart found on Plaintiff's website (see Exhibit "A").
- Equally damaging are the numerous false and defamatory statements 18. directed toward Plaintiff contained in Defendants' chart including:

a.

	Knockoff Filters
Are UL Approved	NO. But they often claim they are. There is no UL mark on knockoff filters because they are not UL approved. Beware of knockoff filter sellers sending by email erroneous UL numbers that do not represent their actual assembled product.

b.

	Knockoff Filters
Made of fireproof plastic	NO. In torch tests - when a flame is put to the filter, knockoff filters will catch fire and burn.

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28 1/// Knockoff Filters

Was developed by

professionals NO. doing

research into dirty

electricity.

Knockoff filters developed are by marketing/sales companies who identified this as a documented niche market, and are seeking to make a profit.

d.

c.

Knockoff Filters

Has a working meter to easily and effectively measure dirty

electricity.

NO. Knockoff companies have tried to copy our meter, but our meter is internationally patented, as are our filters in many countries. Knockoff sellers rely on our meter because they can't figure out how to make one themselves.

e.

Knockoff Filters

Instantly rendered safe when removed from outlet

NO. Knockoff filters have not been designed properly and will maintain a charge after they are removed from the outlet. This charge could result in serious injury or death. It is NOT safe to touch the prongs after pulling out a knockoff filter. Children are especially at risk.

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	Knockoff Filters
Has	
developed	
and	
currently	
provides	NO Knockoff filters have not been dealer to
filters for	NO. Knockoff filters have not been designed, and are not sold in markets around the world.
many	not sold in markets around the world.
countries,	
voltages,	
and outlet	
styles.	

In addition to the foregoing unlawful conduct, Defendants have purchased 19. the "Greenwave" Adword on Google's search engine where if a consumer conducts a search on Google for "Greenwave Filters" a paid advertisement is displayed near the very top of the consumer's search which states:

Knockoff Filters Revealed - Truth About Stetzerizer Knockoffs

www.stetzerizer-us.com/

Don't Be Duped by Greenwave, etc (emphasis in the original)

Additionally, Defendants have created and publicizing videos containing 20. false and defamatory statements. Defendants' videos, which contain many of the same statements identified in the preceding paragraphs, can be found at:

> http://www.stetzerelectric.com/category/media/ https://www.facebook.com/#!/StetzerElectric?fref=ts

http://www.youtube.com/watch?v=CcSS0MJ6oMo

Defendants unlawful acts can also be found on www.amazon.com where 21. Plaintiff's Plaintiff's products. When a consumer searches for Plaintiff's Greenwave filters, the search results reveal Plaintiff's Greenwave filters in addition to "Sponsored Links" which include a sponsored link purchased by Defendants entitled:

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Knockoff Filters Revealed [7]

Truth About Stetzerizer Knockoffs Don't Be Duped by Greenwave, etc www.stetzerizer-

When a consumer clicks on the foregoing sponsored link, the consumer is immediately directed to Defendants' "Knockoffs" webpage at http://www.stetzerizerus.com/knockoffs.html.

- The unlawful actions by Defendants identified in Paragraphs 16 through 22. 21, inclusive, are not exhaustive, but are exemplary of the wrongful, defamatory conduct of Defendants which continues to the date of the filing of this Complaint.
- Numerous potential and existing customers of Plaintiff have inquired of 23. Plaintiff to determine whether Defendants' false and defamatory statements are a true representation of Plaintiff's products. As such, Plaintiff has been required to defend itself, its reputation, and its products against the false and defamatory statements that Defendants have created and made public.
- Great difficulty has befallen Plaintiff as a result of the aforementioned loss of trust and confidence in Plaintiff and Plaintiff's products. Ultimately, the aforementioned has detrimentally affected Plaintiff's business and its business reputation in the community.
- 25. Defendants' egregious conduct has adversely affected Plaintiff's business including, but not limited, to lost sales and reputational damage.

FIRST CLAIM FOR RELIEF

TRADE LIBEL

AGAINST ALL DEFENDANTS

- 26. Plaintiff realleges each and every allegation set forth in Paragraphs 1 through 25, inclusive, and incorporates each by reference herein.
- Beginning at least as early as October 2012, and continuing until today, 27. Defendants willfully, without justification, and without privilege published to third persons, consumers, and prospective customers, the false and defamatory statements identified herein in Paragraphs 16 - 21.

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- Defendants' false and defamatory statements were made of and concerning 28. Plaintiff and Plaintiff's products and were so understood by those who read such statements.
- Defendants' statements were/are false. The statements of Defendants were 29. made with knowledge of their falsity or with reckless disregard for their truth or falsity.
- The above-referenced false and defamatory statements by Defendants 30. directly injured Plaintiff in its business in that such statements charge Plaintiff with being, among other things, a fraudulent and unscrupulous business entity, dishonest members of the community and within the dirty electricity filter industry, and thieves and profiteers of unsuspecting consumers and potential customers.
- As a legal result of Defendants' publication of the false and defamatory 31. statements, prospective customers have been deterred from purchasing Plaintiff's products and from otherwise dealing with Plaintiff, and Plaintiff has thereby suffered injury to Plaintiff's business and pecuniary loss in an amount to be proven at the time of trial.
- 32. Defendants have engaged in the acts alleged above maliciously, willfully, and oppressively, and with the intent to harm Plaintiff. Defendants have engaged in despicable conduct and acted with a conscious disregard of Plaintiff's rights and with an intent to vex, injure, or annoy Plaintiff in a manner constituting oppression, fraud, or malice under Civil Code § 3294. Plaintiff is therefore entitled to punitive damages in an amount sufficient to punish and make an example of Defendants.
- The wrongful acts of Defendants as alleged herein, unless restrained and 33. enjoined by order of the Court, will cause great and irreparable injury to the general public and to Plaintiff in its business, reputation, and goodwill. Plaintiff has no adequate remedy at law for the injuries that have been or will continue to be sustained in this action.

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SECOND CLAIM FOR RELIEF

FEDERAL UNFAIR COMPETITION UNDER 15 U.S.C. 1125(a)(1)(B) AGAINST ALL DEFENDANTS

- Plaintiff realleges each and every allegation set forth in Paragraphs 1 34. through 33, inclusive, and incorporates each by reference herein.
- Defendants' false and defamatory statements contained in Defendants' 35. marketing and advertising is false and misleading in representation of fact which has caused and will continue to cause confusion and mistake and deceive customers and the public as to the nature, characteristics, and/or qualities of Plaintiff's products and commercial activities. Defendants' conduct has resulted in, and continues to result in, damage to Plaintiff's reputation and goodwill, and unjustly enriches Defendants at the expense of Plaintiff.
- Defendants' wrongful acts described herein are in violation of 15 U.S.C. 36. 1125(a)(1)(B) which provides:

Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which ... in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities, shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

- As a legal result of Defendants' wrongful acts, Plaintiff has sustained, and 37. will continue to sustain, significant reputational and economical harm subject to proof at the time of trial.
- Plaintiff has suffered, and continues to suffer, damage as a direct result of 38. Defendants' conduct for which monetary damages are an inadequate remedy, and such damage will continue unless the Court preliminarily and permanently enjoins and restrains Defendants' unlawful conduct.

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THIRD CLAIM FOR RELIEF

TORTIOUS INTERFERENCE WITH EXISTING BUSINESS RELATIONS AGAINST ALL DEFENDANTS

- Plaintiff realleges each and every allegation set forth in Paragraphs 1 39. through 38, inclusive, and incorporates each by reference herein.
- 40. information and belief, Plaintiff alleges that Defendants intentionally, and with reckless disregard for the consequences thereof, interfered, and continue to interfere, with the existing business relations of Plaintiff.
- Upon information and belief, Plaintiff alleges that at the time Defendants 41. made the herein alleged false and defamatory statements, Defendants either actually knew or should have known that Plaintiff would lose valuable existing business as a result of being accused by Defendants of being a fraudulent and unscrupulous business entity; a dishonest member of the community and within the dirty electricity filter industry; and thieves and profiteers of consumers and potential consumers.
- Upon information and belief, Plaintiff alleges that, in addition to the false 42. and defamatory statements made as herein alleged, Defendants made such improper and malicious defamatory statements to customers for the improper purpose of disrupting the existing commercial relationships between Plaintiff and its customers.
- 43. Plaintiff was injured in its existing and prospective business as a result of Defendants' unlawful conduct in making the aforementioned false and defamatory statements to Plaintiff's customers.
- As a legal result of Defendants' unlawful interference, Plaintiff has 44. suffered injury to Plaintiff's business and pecuniary loss in the sum to be proven at the time of trial.
- Upon information and belief, Plaintiff alleges that in doing the things 45. alleged above, Defendants have acted intentionally and 1) placed their personal interests above those of the public and Plaintiff; and 2) acted with oppression, corruption, fraud, malice, and with the intent to harass and damage Plaintiff and the public. Therefore,

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Plaintiff is entitled to punitive damages.

The wrongful acts of Defendants, as alleged herein, unless restrained and 46. enjoined by order of the Court, will cause great and irreparable injury to the general public and to Plaintiff, its business, reputation, and goodwill. Plaintiff has no adequate remedy at law for the injuries that have been or will continue to be sustained in this action.

FOURTH CLAIM FOR RELIEF

TORTIOUS INTERFERENCE WITH PROSPECTIVE

BUSINESS RELATIONS

AGAINST ALL DEFENDANTS

- Plaintiff realleges each and every allegation set forth in Paragraphs 1 47. through 46, inclusive, and incorporates each by reference herein.
- Upon information and belief, Plaintiff alleges 48. that Defendants intentionally, and with reckless disregard for the consequences thereof, interfered, and continues to interfere, with the prospective business relations of Plaintiff.
- 49. Upon information and belief, Plaintiff alleges that at the time the Defendants publicized the herein alleged false and defamatory statements, Defendants either actually knew or should have known that Plaintiff would lose valuable business as a result of being accused by Defendants of being a fraudulent and unscrupulous business entity; a dishonest member of the community and within the industry; and thieves and profiteers of customers and potential customers.
- Plaintiff was injured in its existing and prospective business as a result of 50. Defendants' unlawful conduct in making the aforementioned false and defamatory statements to Plaintiff's potential customers.
- As a legal result of Defendants' unlawful interference Plaintiff has suffered 51. injury to Plaintiff's business and pecuniary loss in a sum to be proven at the time of trial.
 - Upon information and belief, Plaintiff alleges that in doing the things 52.

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alleged above, Defendants have acted intentionally and 1) placed their personal interests above those of the public and Plaintiff; and 2) acted with oppression, corruption, fraud, malice, and with the intent to harass and damage Plaintiff and the public. Therefore, Plaintiff is entitled to punitive damages in an amount to be proven at trial.

The wrongful acts of Defendants, as alleged herein, unless restrained and 53. enjoined by order of the Court, will cause great and irreparable injury to the general public and to Plaintiff, its business, reputation, and goodwill. Plaintiff has no adequate remedy at law for the injuries that have been or will continue to be sustained in this action.

FIFTH CLAIM FOR RELIEF FALSE ADVERTISING IN VIOLATION OF

CALIFORNIA BUSINESS & PROFESSIONS CODE §§ 17500, et seq. AGAINST ALL DEFENDANTS

Plaintiff re-alleges each and every allegation set forth in Paragraphs 1 through 53, inclusive, and incorporates each by reference herein.

- The actions of Defendants herein alleged are unfair and unlawful, and also 55. violate California statutory law, including without limitation, California Business and Professions Code §§17500, et seq.
- As a result of Defendants' false and misleading advertising, potential and 56. actual consumers have been, and will continue to be, misled about Plaintiff's products. Defendants knew or should have known that the advertising was untrue and/or misleading.
- As a result of the above-described conduct, Defendants have been, and will 57. continue to be, unjustly enriched in profits, income, and ill-gotten gains at the expense of Plaintiff and California consumers.
- As a further result of the above-described conduct, Plaintiff has been, and 58. will continue to be, unjustly deprived of the full value of the goodwill and public image 28 associated with Plaintiff's products.

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enjoined by order of this Court, will cause great and irreparable injury to the general public and to Plaintiff, its business, reputation, and goodwill. Plaintiff has no adequate remedy at law for the injuries that have been or will continue to be sustained in this

The wrongful acts of Defendants, as alleged herein, unless restrained and

SIXTH CLAIM FOR RELIEF

FOR UNFAIR COMPETITION IN VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE §§ 17200, et seq. AGAINST ALL DEFENDANTS

- 60. Plaintiff re-alleges each and every allegation set forth in Paragraphs 1 through 59, inclusive, and incorporates each by reference herein.
- As more specifically alleged above, Defendants and each of them, engaged 61. in unlawful business practices within the meaning of California Business & Professions Code § 17200 when they committed the acts as alleged in this Complaint. practices include without limitation: Defendants' publication of false and defamatory statements concerning Plaintiff and Plaintiff's products.
- Such acts are "unlawful" within the meaning of California Business & 62. Professions Code § 17200 because they rise to the level of being fraudulent, unfair, and deceptive.
- Such acts are "fraudulent" within the meaning of California Business & 63. Professions Code § 17200 because they create a situation where Plaintiff's prospective customers are likely to be deceived.
- Such acts are "unfair" within the meaning of California Business & 64. Professions Code § 17200 because they offend public policy and are immoral, unethical, oppressive, and unscrupulous; and this harm far outweighs any utility of the conduct to Defendants.
- As a legal result of the above-described unlawful, fraudulent, unfair, and deceptive acts of Defendants and the facts herein alleged, Plaintiff has suffered, and

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will continue to suffer, economic losses in an amount to be proven at trial, but which is in excess of the minimum jurisdiction of this Court.

- Plaintiff seeks to enjoin Defendants from continuing to engage in the 66. above-described unlawful, fraudulent, unfair, and deceptive conduct.
- Plaintiff also seeks an order that Defendants restore to the general public 67. all funds acquired by said unlawful, fraudulent, unfair, and deceptive acts.
- Plaintiff also seeks to recover its actual damages resulting from 68. Defendants' unlawful, fraudulent, unfair, and deceptive conduct alleged in this Complaint all according to proof at trial.
- As a result of the Defendants' conduct, as alleged herein, Plaintiff is 69. entitled to recover costs of suit and reasonable attorneys' fees pursuant to statute including, but not limited to, California Code of Civil Procedure § 1021.5.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Court enter judgment in its favor and against Defendants, and each of them, as follows:

ON THE FIRST CLAIM FOR RELIEF

- For general, special, and consequential damages in an amount to be proven 1. at the time of trial;
- For punitive and exemplary damages in an amount sufficient to punish and 2. make an example of Defendants;
 - For a preliminary and permanent injunction; 3.
 - 4. For legal interest;
 - 5. For costs of suit incurred herein;
 - 6. For reasonable attorneys' fees; and
 - For such other and further relief as the Court may deem proper. 7.

ON THE SECOND CLAIM FOR RELIEF

For an order enjoining Defendants from engaging in acts which are false, 8. 28 misleading, and deceptive within the meaning of 15 U.S.C. 1125(a).

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- 9. For compensatory damages according to proof at time of trial.
- 10. For reasonable attorney's fees and costs incurred herein pursuant to 15 U.S.C. § 1117(a).
- 11. Such other and further relief at law or in equity, to which the Court deems just and proper.

ON THE THIRD CLAIM FOR RELIEF

- 12. For general, special, and consequential damages in an amount to be proven at the time of trial;
- 13. For punitive and exemplary damages in an amount sufficient to punish and make an example of Defendants;
 - 14. For a preliminary and permanent injunction;
 - 15. For legal interest;
 - 16. For costs of suit incurred herein:
 - 17. For reasonable attorneys' fees; and
 - 18. For such other and further relief as the Court may deem proper.

ON THE FOURTH CLAIM FOR RELIEF

- 19. For general, special and consequential damages in an amount to be proven at the time of trial;
- 20. For punitive and exemplary damages in an amount sufficient to punish and make an example of Defendants;
 - 21. For a preliminary and permanent injunction;
 - 22. For legal interest;
 - 23. For costs of suit incurred herein;
 - 24. For reasonable attorneys' fees; and
 - 25. For such other and further relief as the Court may deem proper.

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ON THE FIFTH CLAIM FOR RELIEF

- 26. For an order enjoining Defendants from engaging in acts which are unlawful, fraudulent, unfair, and deceptive within the meaning of <u>California Business & Professions Code</u> § 17500;
- 27. For an order that Defendants restore to the general public all funds acquired through his schemes of economic and business duress which are unlawful, fraudulent, unfair, and deceptive within the meaning of <u>California Business & Professions Code</u> § 17500;
- 28. For attorneys' fees and costs of suit incurred herein pursuant to California Code of Civil Procedure Section 1021.5;
- 29. For an award of compensatory damages according to proof at the time of trial; and
 - 30. For such other and further relief as the Court may deem proper.

ON THE SIXTH CLAIM FOR RELIEF

- 31. For an order enjoining Defendants from engaging in acts which are unlawful, fraudulent, unfair, and deceptive within the meaning of <u>California Business & Professions</u> Code § 17200;
- 32. For an order that Defendants restore to the general public all funds acquired through their infringing activities which are unlawful, fraudulent, unfair, and deceptive within the meaning of <u>California Business & Professions Code</u> § 17200;
- 33. For attorneys' fees and costs of suit incurred herein pursuant to <u>California</u> Code of Civil Procedure §1021.5;
- 34. For an award of compensatory damages according to proof at the time of trial; and
 - 35. For such other and further relief as the Court may deem proper.

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: December 10, 2012

MYERS LIN LLP

David A. Berstein Nicholas D. Myers

Attorneys for Plaintiff Greenwave Int'l, LLC

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Greenwave Int'l., LLC v. Stetzer, et al. Northern District of California

Exhibit "A" to Complaint

Call us today at 1-800-506-6098

Buy Now

We installed Greenwave filters and I felt more energy the very

Printable Documents
The Dirty Electricity Story
Greenwave Product Summary

next day.

Laura, San Carlos, CA

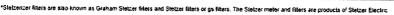
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Compare Greenwave Dirty Electricity Filters to Stetzerizer Filters

Greenwave™ filters are more effective, less expensive, and offer more features than Stetzer filters.

	GREENWAVE Filters	STETZERIZER* Filters	GREENWAVE VALUE
Cost	\$22.50 - 25.99 per filter	\$29.00 35.00 per filter	Greenwave filters cost 22-26% less
Effectiveness	MORE	LESS	Greenwave filters reduce 5–20% more dirty electricity (using a Stetzer meter for comparisons).
Built-in Outlet	YES	NO	Greenwave filters can be plugged in without tosing the use of an outlet.
Stops Dirty Electricity at its Source	YES	NO	Plugging electronic devices or power strips into the built-in outlet within Greenwave filters can reduce dirty electricity before it enters a building's internal wiring.
3-Prong Model (Grounded)	YES	NO	Greenwave's 3-prong model uniquely reduces dirty electricity that rides on the ground wire.
2 - Prong Model	YES	YES	Good for homes with 2-prong outlets



Reduce harmful dirty electricity in your environment with GREENWAVE™ filters – the least expensive and most effective dirty electricity filters currently on the market.

BUY NOW

Dirty electricity is all around us — in our homes, businesses, schools, and other public buildings. Scientific studies connect this form of electro-pollution to a variety of health issues, including ADD/ADHD, asthma, cancer, diabetes, sleep disorders, chronic fatigue, muscle/joint pain, headaches, and mood issues.

Try Greenwave filters now RISK FREE (30-day money back guarantee)

BUY NOW

Greenwave filters come in a variety of packages:



Starter Kit



Home Packages



Classroom Kit



Workplace Packages



Custom Packages

For updates on the dirty electricity story and how its affecting all of us some our emandries.

You will find Greenmane filters to be more effective, less expensive, and more feature nich when you compare them to Statzenzer blans or any Statzer Electric or go filters.

Constitution of the Consti

Greenwave Int'l., LLC v. Stetzer, et al. Northern District of California

Exhibit "B" to Complaint

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CATEGORY

- ---- All Products
- Original STETZERIZER STETZERiZER Combo
- ---- EMF Meters

Home > Knockoffs Knockoffs

Stetzerizer filters were developed by Dr. Martin Graham, professor emeritus from the University of California, Berkeley and Mr. Dave Stetzer, president of Stetzer Electric in Blair, WI, founded in 1974. Stetzerizer fifters are the original filters for power line radiation reduction, and represent years of testing, design, and health studies. Scientists and researchers all over the world have used, tested, and published peer-reviewed studies based on Stetzenzer filters.

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Because of the products' success, other companies have attempted to make imitations of Stetzerizer filters and benefit from the collaborative work of all the people associated with the Stetzerizer name. Some of these companies have even resorted to using misleading or flat out false information to try to market their knockoff filters. This page will set the record clear on the facts, so that you can make the right decision if you've been presented with knockoff filters.

We appreciate your continued support of Stetzerizer filters and the hard work and ongoing research of the individuals who have collaborated to develop this solution and continually advance the knowledge and research

RISK-FREE



60 - Day 166% Satisfaction Guarantee on all Statzenzer products#

Stetzenzer Filters do not view out or ever need replacement. They are a one-time investment for a lifetime of healther lrang

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Stetzerize Proven Electrical Pollution Reduction Filters and Meter

CLK

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	Knockoff Filters	Genuine Stetzerizer Fitters
Are UL Approved		
Made of fireproof plastic	NO. In forch tests - when a flame is put	YES! As one of the many safety requirements of Underwriter Laboratories (UL). Stetzerizer litters are made of more costly fireproof plastic. In torch tests, Stetzerizer titlers do not catch fire.
Was developed by		YES! Dr. Martin Graham and Dave Stetzer developed these filters after extensive testing and hands-on research with animals and

professionals doing marketing/sales companies who identified this as a niche market and are seeking.

This as a niche market and are seeking. this as a niche market, and are seeking research into dirty to make a profit. electricity

NO. Knockoff companies have tried to Has a working meter copy our meter, but our meter is to easily and internationally patented, as are our filters effectively measure n many countries. Knockoff sellers rely dirty electricity. on our meter because they can't figure out how to make one themselves.

NO. Knockoff filters have not been designed property and will maintain a instantly rendered charge after they are removed from the safe when removed outlet. This charge could result in serious safety. This is another reason Stetzerizer from outlet injury or death. It is NOT safe to touch the prongs after pulling out a knockoff

litter. Children are especially at risk NO. We have not seen a single published YES! Dozens of studies and papers have been study done on knackoff filters. There seems to be no research done on knockoff filters. Knockoff filter sellers rely on the research that has been done on Stetzenzer filters. How are knockoff

filters giving back to the community? NO. Knockoff filter sellers have to defer to outside engineers for technical questions

NO. Knockoff filters have not been designed, and are not sold in markets around the world.

Might void your homeowners insurance coverage or commercial coverage.

Has been studied

published medical

literature including

Has staff capable of

technical questions.

Has developed and

currently provides filters for many

countries, voltages

and outlet styles.

answering highly-

medical journals.

and featured in

YES. Because knockoffs are not Ut approved and do not bear the UL logo you should check with your insurance policy before using them. Many nsurance policies require all electrical/electronic devices to be UL or anamalent annunued otherwise damane

sold in many countries, for many outlet styles. They have been certified and approved for safe usage in markets around the world. They are a household, trusted

reflectantly developed the fitters because the

YES! Dr. Graham has a parent, US Pat. No.

Stetzerizer meter is an international standard

instrument for measuring pollution on electric

electronics and power utility industries

refused to take any steps to solve the

006914435 for measuring dirty electricity

Originally developed at the request of the

national government of Kazakhstan, the

YES! Steizerizer filters were designed

properly and discharge instantly to ensure

filters are UL approved and knockoffs are

published featuring Stetzerizer products. The

assisted some of these studies by providing

free filters and free placebo (for blind testing)

researchers to always advance the science.

YES! Stetzenzer has full time staff trained in

electrical engineering. Stetzerizer filters were

developed in-house from the ground up in

order to help people and solve a problem

YES! Stetzerizer is an international brand

developers of the Stetzenzer filters have

filters. We continue to collaborate with

problem themselves

lines.

NO! Stetzerizer filters are Ut. approved and will not void your insurance coverage. You can rest assured. See listing above.

Beware of imitation/knockoff filters!!!



Know the real differences and get genuine Statzenzer filters

TOP SELLERS



Stetzerizer Filters

more details



Electricia Adapter

52.97 经存货的证券 more details



AM/EM Pocket Radio Electrosmog Detector \$14.98 600000

more details

NEW RELEASES



RF Meter by "EMFleids \$449,99 000000

more details

AM/FM Pocket Radio and og Detect

Trifield & Meter by AlphaLab (Magnetic Field 5149 97 00000

	from house fires may not be covered!!!	
prong design for versatile installation configurations.	design that will cover an outlet if plugged into the top outlet. This can be a problem especially when top or bottom outlet is controlled by a switch	YES! Stetzenzer filters are designed to plug right-side-up or "upside-down." They can be placed either way, and they will perform just as well. This allows more flexibility for many installations.
fashioned business ethics and standards	stating false information, in a cunning attempt to mislead and sell their	YES! ElectraHealth.com and Stetzer Electric are committed to helping people and will not mislead or misinform in order to make a sale. See below for more info.

We are posting the below chart so you can see first-hand what one of the knockoff companies is doing. We believe this is an example of poor and misleading or unethical business practices, and I think you will agree.

Here is the original chart from their website

	GREENWAVE Filters	STETZERIZER* Filters	GREENWAVE VALUE
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Built-in Outlet	YES	NO	Greenwave filters can be plugged in without losing the use of an outlet.
Stops Dirty Electricity at its Source	YES	Ю	Plugging electronic devices or power strips into the built-in outlet within Greenwave filters can reduce dirty electricity before it enters a building's internal wining.
3-Prong Model (Grounded)	YES	МО	Greenwave's 3-prong model uniquely reduces dirty electricity that rides on the ground wire
2 – Prong Model	YES	YES	Good for homes with 2-prong outlets

Here is the chart with our comments:

	GREENWAVE Filters	STETZERIZER* Filters	GREENWAVE VALUE
Cost	\$22.50 25.99 per litter		Greenwave filters cost 22-26% less

Stetzerizer filters may cost slightly more, but sometimes you get what you pay for. Proper safe design, ongoing research and development, safer materials, and safety certification. Why sacrifice and take chances for such an important one-time investment?

	MORE		Greenwave filters reduce
Effectiveness			5-20% more dirty electricity (using a Statzer meter for
		5/52	comparisons)

We have not seen any significant performance differences as far as dirty electricity reduction results are concerned. Off-brand filters could reduce the reading on the meter slightly better or worse depending on many variables. Putting a figure like 5-20% on it would not hold true in testing.

	YES NO	Greenwave filters can be plugged in without losing the
Built-In Outlet		use of an outlet.

While it is true that this filter does have a built-in outlet, there is a reason that Stetzenzer filters do not. First and foremost, Underwriters Laboratories (UL) has thus far not allowed us to utilize a built-in outlet for USA/Canada. Filters we manufacture for other countries have built-in outlets, and we will be adding a filter with a built-in outlet for USA/Canada when UL approves it. The other advantage of our two-prong non-polarized design is that it can be put in the top or bottom outlet, upside-down or rightside-up.

	27.700.000	,	
	YES	NO	Plugging electronic devices or
Stops Dirty	- No.		power strips into the built-in
Electricity at its		1	outlet within Greenwave filters
Same and the same and and again.	1.27 24.4327	i	can reduce dirty electricity

Source

before it enters a building's internal wiring.

This is extremely misleading. Both filters utilize a parallel circuit with your devices. There is no advantage or disadvantage to the built-in outlet. It does NOT stop dirty electricity any more or less or sooner or later. Advertising it as such is a flat-out lie and taking advantage of lack of knowledge of consumers.

3-Prong Model
(Grounded)

YES

NO

Greenwave's 3-prong model uniquely reduces dirty electricity that rides on the ground wire

This is a flat-out lief. We have seen no filter, including the Greenwave, that does ANYTHING with the ground. If you open a Greenwave filter, you will see the capacitor and circuitry is not connected to ground indeed, connecting to ground as they are claiming could cause serious wiring faults in the building. Neutral and ground should not be bonded in a device! Why does this company continue to market their products as doing things that they cannot and do not do??? Anything for sales perhaps?

	**************************************	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
	VES	YES	Condition barrers with A server
2 - Prong Model	1 ()	160	Good for homes with 2-prong
m . s sans Minners			
		1	outlets

This is the least harmful or misleading statement. They claim to have 2 prong models, but they are sure to have the same design flaws and concerns as the 3-prong knockoffs.

